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December 3, 2019

**VIA ECF**

Hon. Ronnie Abrams  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2203  
New York, NY 10007

MEMO FORWARDED

Re: *L.C., et al. v. NYC Dep't of Educ.*, 19-cv-8105 (RA) (DCF)

Dear Judge Abrams:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, attorney for Defendant New York City Department of Education ("Defendant"). I write to respectfully request that the Court stay the briefing schedule for Plaintiff's motion for summary judgment. (ECF No. 14). This is Defendant's first request for a stay of the briefing schedule. Plaintiff does not consent to this request, citing that she wants to engage in settlement negotiations and "to avert legal fee[s] through unwarranted discovery." As explained below, the need for the stay is so that the parties can engage in very limited fact discovery with respect to the maintenance of the relevant billing records at issue in this case.

As background, Plaintiff seeks attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* On October 23, 2019, the parties submitted a joint letter informing Your Honor that Defendant may seek limited discovery in this case, and proposed a briefing schedule in the event Defendant did not seek discovery. (ECF No. 13). At that time, the parties informed Your Honor that Plaintiff had informed Defendant that technical problems had delayed Plaintiff's ability to produce the billing records to Defendant's counsel, which delayed the parties' settlement negotiations. After a thorough review of Plaintiff's billing records, Defendant served very narrow and limited discovery requests to Plaintiff on November 20, 2019, making Plaintiff's Responses due December 20, 2019. As currently scheduled, Plaintiff's motion for summary judgment is due December 16, 2019.

Accordingly, Defendant respectfully requests that the Court stay the briefing schedule for Plaintiff's motion for summary judgment.

Thank you for considering this request.

Respectfully submitted,


*s/ Priscilla Denterlein*

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Priscilla Denterlein  
Special Assistant Corporation Counsel

As Defendant has indicated that Plaintiff "wants to engage in settlement negotiations," the parties shall meet and confer as to whether a referral for settlement would be productive at this time, and shall update the Court on this issue no later than December 9, 2019. If the parties do not agree that a settlement conference would be productive at this time, the parties shall file a letter, no later than December 9, 2019, with a proposed schedule for limited fact discovery and, if necessary, a revised proposed briefing schedule for Plaintiff's motion for summary judgment.

SO ORDERED.



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Hon. Ronnie Abrams  
12/4/2019